

## **REMARKS**

This amendment is in response to the Office Action mailed on March 28, 2007. Claims 2-7, 16, 18, 23, 25, and 28-30 have been cancelled. Claims 1, 8-15, 17, 19, 24, 26, and 27 have been amended. The amendments to claims 1 and 8 are supported throughout the application, for example, see cancelled claims 2, 3, and 7 and Figures 5, 10-14, and 17-18. The amendments to claims 17 and 24 are supported throughout the application, for example, see the application at page 8, ln. 3-page 11, ln. 7. The amendments to claims 9-15, 19, 26, and 27 are editorial in nature. New claims 31-37 have been added. The new claims are supported throughout the application, for example, Figures 5, 10-14, and 17-18. The amendments and new claims do not add new matter. Applicant submits that in view of the above amendments and the below remarks, the pending claims are in condition for allowance.

### **I. 102 Rejections**

Claims 1, 7-10, 14-16 and 28 have been rejected as being anticipated by Barinaga et al. (US 6,478,415). This rejection is traversed.

Claim 1 is directed at an ink cartridge refill system configured to refill an ink cartridge, the system comprising, among other things, an ink supply unit including a first portion and a second portion, wherein the first portion includes a plurality of ink tanks; a drain conduit extending from the first portion of the ink container to the second portion of the ink container; a vent conduit extending from the first portion of the ink container to the second portion of the ink container, wherein the vent conduit and drain conduit are configured for simultaneous fluid flow and wherein the fluid flow in the drain conduit is configured to automatically stop when the fluid flow in the vent conduit is stopped. Barinaga et al. fails to disclose or suggest such a system.

In particular, Barinaga et al. fails to disclose a plurality of ink tanks wherein the vent conduit and drain conduit are configured for simultaneous fluid flow such that fluid flow in the drain conduit is configured to automatically stop when the fluid flow in the vent conduit is stopped. Barinaga et al. instead discloses a system where the flow of ink and air share the same path 130. See Figures 2a, 2b and column 3, ln. 58-column 7, ln. 47. It discloses alternating rather than simultaneous flow of ink and air. Moreover, it discloses recirculation of ink from the cartridge 14 to the reservoir 110 rather than automatically stopping the ink flow when the air flow stops. Accordingly, claim 1 is not anticipated.

Claim 7 has been cancelled, rendering the rejection thereto moot.

Claim 8 is directed at an ink cartridge refilling system configured to refill a ink cartridge, the system comprising: an ink supply unit having an upper portion including at least one ink reservoir and a lower portion configured to be mounted over an ink cartridge; at least one ink communication path extending through the lower portion of the ink supply unit configured to connect the ink reservoir with the ink cartridge housing interior; at least one vent communication path extending through the lower portion of the ink supply unit configured to connect the ink reservoir with the ink cartridge housing interior; and a pliable portion on the upper portion of the ink supply unit, the pliable portion providing a fluid-tight seal with the exterior surface of the ink supply unit. Barinaga et al. fails to disclose or suggest such a system.

In particular, Barinaga et al. fails to disclose or suggest an ink supply unit including a lower portion configured to be mounted over an ink cartridge and a pliable portion on the upper portion of the ink supply unit. Instead, Barinaga et al. discloses a pump on the lower portion of the ink reservoir 110 and discloses the ink cartridge is mounted adjacent the rejuvenation station 100. Accordingly, claim 8 is not anticipated.

Claims 9, 10, 14, and 15 depend from and further limit claim 8. Therefore, they are not anticipated for at least the same reasons.

Claim 16 has been cancelled, rendering the rejection thereto moot.

## **II. 103 Rejections**

Claims 1-3, 8-16, 23, and 28-30 have been rejected as being obvious over Yuen (US 6,347,863) in view of Chaumet (US 4,995,751) and further in view of Barinaga et al. This rejection is traversed.

As discussed above Barinaga et al. fails to disclose or suggest all the features of claim 1. Yuen and Chaumet fail to cure the defects of Barinaga et al., therefore, claim 1 is not obvious.

Claims 2-3 have been cancelled, rendering the rejections thereto moot.

As discussed above Barinaga et al. fails to disclose or suggest all the features of claim 8. Yuen and Chaumet fail to cure the defects of Barinaga et al., therefore, claim 8 is not obvious.

Claims 9-15 depend from and further limit claim 8. Therefore, they are not obvious for at least the same reasons.

Claim 16 has been cancelled, rendering the rejection thereto moot.

As discussed above Barinaga et al. fails to disclose or suggest all the features of claim 17. Yuen and Chaumet fail to cure the defects of Barinaga et al., therefore, claim 17 is not obvious.

Claim 18, 23, and 28-30 have been cancelled, rendering the rejections thereto moot.

Claims 17, 19-22, 24, and 26-27 have been rejected as being obvious over Yuen (US 6,347,863) in view of Barinaga et al. and further in view of Chaumet (US 4,995,751) and Yuen (US 6,971,740). This rejection is traversed.

Claim 17 is directed at a method of refilling an ink cartridge, the method comprising steps of: mounting an ink cartridge in a refill base member; connecting the refill base member with an ink supply unit such that the ink cartridge is in both air flow and ink flow communication with the ink supply unit; orientating the ink supply unit so that it is elevated above the ink cartridge; varying pressure in the ink reservoir to initiate the ink flow communication while maintaining a fixed spatial relationship between the ink container and the ink cartridge; automatically discontinuing the ink flow when the air flow between the ink supply unit and the ink cartridge stops. Barinaga et al. fails to disclose or suggest such a system.

In particular, Barinaga et al. fails to disclose or suggest connecting the refill base member with an ink supply unit such that the ink cartridge is in both air flow and ink flow communication with the ink supply unit; and automatically discontinuing the ink flow when the air flow between the ink supply unit and the ink cartridges stops. As discussed above, Barinaga et al. instead discloses a system where ink from the cartridge 14 can circulate into the reservoir 110. In Barinaga et al. stopping of air flow does not automatically stopping the ink flow.

As discussed above Barinaga et al. fails to disclose or suggest all the features of claim 17. Yuen and Chaumet fail to cure the defects of Barinaga et al., therefore, claim 17 is not obvious.

Claims 19-22 depend from and further limit claim 17. Therefore, they are not anticipated for at least the same reasons.

Claim 24 is directed at an ink cartridge refill kit, comprising: an ink supply unit, the ink supply unit including an internal ink tank, a drain conduit, a vent conduit, a pressure varying member, and an ink stopper, the drain conduit being in ink flow communication with the internal ink tank, the vent conduit being in air flow communication with the internal ink tank, and the pressure varying member being configured to alter a pressure condition within the internal ink tank, the ink stopper configured to prevent ink from spilling out of the drain conduit; and an ink cartridge carrying base, the ink cartridge carrying base being configured to retain an ink

cartridge, and configured to operatively mount to a bottom portion of the ink supply unit. None of the cited references disclose or suggest the claimed kit.

For example, none of the cited references disclose or suggest a kit including an ink stopper configured to prevent ink from spilling out of the drain conduit.

Claims 26-27 depend from and further limit claim 24. Therefore, they are not anticipated for at least the same reasons.


In view of the above, Applicant respectfully requests reconsideration of the application in the form of a Notice of Allowance. If a phone conference would be helpful in resolving any further issues related to this matter, please contact Applicant's attorney listed below.

Respectfully submitted,

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